REMARKS

Applicant hereby respectfully submits this request for continued application in which claims 2 and 3 have been amended. The antecedent basis for the amendment to claims 2 and 3 may be found on page 26, lines 3-8 of the specification. No new matter has been added.

With respect to the Office Action dated June 13, 2003, the Applicant herein presents arguments to traverse the Examiner's rejection of claims 2 and 3 pursuant to 35 U.S.C. 102(a) and the doctrine of double patenting.

I. RESPONSE TO REJECTION PURSUANT TO 35 U.S.C. 102(A)

The Examiner has rejected claims 2 and 3 pursuant 35 U.S.C. § 102(a) as being anticipated by Huang. 35 U.S.C. § 102(a) states that "[a] person shall be entitled to a patent unless - (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent." In applying § 102(a), MPEP § 706.02(a) instructs, "for anticipation under 35 U.S.C. 102, the reference must teach every aspect of the claimed invention either explicitly or impliedly. Any feature not directly taught must be inherently present." MPEP §706.02 (page 700-20). Applicant respectfully traverses the § 102(a) rejection based upon Huang

because the reference does not teach every aspect of Applicant's claimed invention.

Applicant has claimed "...a locking lever biased from beneath by an arm spring." *See* Amended Claims 2 and 3. Nowhere in the Huang reference is such a limitation found. In fact the Huang reference actually teaches away from Applicant's invention for the spring mechanism in Huang is located above the arm spring. Accordingly, since Huang fails to disclose, either implicitly or impliedly, an arm spring which biases the locking lever from beneath, the Examiner's anticipation rejection is no longer applicable.

II. RESPONSE TO DOUBLE PATENTING REJECTION

The Examiner rejected claims 2 and 3 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6,325,617. In view of the amendment to claims 2 and 3 herein, it is Applicant's position that the claims as amended are patentably distinct from claim 1 of U.S. Patent No. 6,325,617. Therefore, Applicant respectfully requests that the Examiner withdraw the double patenting rejection.

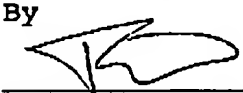
III. CONCLUSION:

In light of the above arguments, the Applicant respectfully requests reconsideration of claims 2 and 3. If any additional fees are required for this amendment and response,

the Director is authorized to deduct the required amounts from our deposit account no. 500703.

Respectfully Submitted,

TROJAN LAW OFFICES
By



Dated: November 13, 2003

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